

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION
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MINUTES

Mississippi Rideau
Source Protection Committee **February 7, 2008** **3/08**

Present:

George Braithwaite	Scott Bryce
Alex Cullen	Carol Dillon
Richard Fraser	Domenic Idone
Patricia Larkin	Randy Malcolm
Peter McLaren	Beverly Millar
Eleanor Renaud	Jim Riopelle
Janet Stavinga (Chair)	Mary Trudeau

Alan Arbuckle (SPA Liaison)

Regrets: Paul Knowles Christine Leadman
Katie Fairman (MOE Liaison)

Staff:

Charles Billington	Brad Carew
Sommer Casgrain-Robertson	Karyn Cornfield
Dell Hallett	Paul Lehman
Emily Saumure	Brian Stratton

Source Protection Authority Members: Mark Burnham (Chair, Mississippi Valley SPA)

1. Welcome

1a) Agenda Review

Chair Stavinga went over the purpose of the meeting and the agenda topics. Chair Stavinga noted that Paul Knowles provided his proxy to Scott Bryce. The proxy was in favour of the recommendations that became Motions 02-2/08 through 06-2/08.

1b) Adoption of the Agenda

Motion 01-2/08

That the Agenda be adopted.

Carried

1c) Declarations of Interest

None.

1d) Approval of Minutes – January 10 & 30, 2008

Motion 02-2/08:

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of January 10, 2008 be approved.

Carried

Motion 03-2/08:

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of January 30, 2008 be approved as amended.

Carried

1e) Status of Action Items

Chair Stavinga highlighted this new standing agenda item which will maintain a list of items requiring staff action and their status of progress. The Chair pointed out that in future this list will also include items requiring action by committee members.

2. Terms of Reference Workplan

Brian Stratton went through the components required in the Terms of Reference (ToR) that the MRSPC needs to complete by August 20, 2008 (staff report and slides attached as well as *Terms of Reference Guidance* that was received from MOE February 6/08 and distributed to members at the start of the meeting). He explained that the ToR will outline “who does what” to complete the Assessment Reports (AR) and Source Protection Plans (SPP) required under the *Clean Water Act*. Brian also indicated which components we can complete now with the information we currently have and which require further information.

Members asked if the term “potential threat” could be used rather than “threat” when talking about the technical studies. Brian agreed that the term “potential threat” will be used.

Members asked whether non-municipal drinking water systems (e.g. clusters of private wells, trailer parks) are included in the ToR. Brian explained that only large municipal systems are required to be included under the Act, other drinking water systems can only be brought in through municipal council resolution or the Minister. Concern was raised that some of these smaller systems are at higher risk for contamination as municipal systems have a full staff complement fulfilling a high standard of testing and treatment.

Members emphasized the need to protect private well water from large regional threats. Some municipal members cautioned that it is unrealistic to ask municipal councils to elevate non-municipal systems into the source protection planning process until MOE provides guidance and funding for municipalities.

Chair Stavinga referred members to page 25 of the *Terms of Reference Guidance* which has a list of systems included under Regulation 903 of the *Safe Drinking Water Act*. These systems can be included in source protection TOR through municipal council resolution or by the Minister. The Chair explained that TOR can be amended

allowing municipalities to wait until they receive further guidance from MOE before deciding whether or not to include some such systems through council resolution.

Members recommended that a list be compiled of all “other” drinking water systems in our region that could be included in ToR through council resolution or by the Minister. Brian explained that this information is in the preliminary draft Watershed Characterization Report which will be shared with members shortly.

Members asked what feedback other Chairs are getting regarding non-municipal systems. Chair Stavinga informed members that this issue has been raised at the Chair’s quarterly meetings and there is no consensus among Chairs about how or if private systems should be included in source protection planning. Some Chairs feel that private wells are the responsibility of the landowner and therefore the province should not be involved in protecting the source water that supplies private systems. Others feel the *Clean Water Act* falls short by only protecting Ontarian’s on municipal drinking water.

Chair Stavinga noted that there are other pieces of legislation that protect drinking water in Ontario. MOE recently prepared an information note on this which staff will circulate to members shortly.

Members wondered if the ToR schedule would allow enough time for municipalities to complete their questionnaire by March 3rd and for staff to undertake public consultation on draft ToR. Sommer Casgrain-Robertson explained that the questionnaire was distributed to municipalities on January 9. To date we have received approximately five responses out of 24 lower tier municipalities in our Region. Sommer indicated that she will be following up with those municipalities she has not heard from yet. At the March MRSPC meeting Sommer will provide a summary of municipal responses as well as a detailed schedule to complete the ToR on time and accomplish all of the necessary steps, including municipal and public consultation.

Members discussed that land use policies affecting water quality/quantity will differ geographically depending on the population and the source of drinking water (groundwater or surface water). For example, Oxford County protects its groundwater through stringent land use policies.

Motion 04-2/08:

That the Mississippi-Rideau Source Protection Committee receive this report for information.

Carried

3. Public Engagement Strategy

Sommer Casgrain-Robertson briefly explained each item outlined in

the draft Public Engagement Strategy (staff report and approved Public Engagement Strategy attached).

Sommer stressed the importance of being transparent throughout the source protection planning process and providing municipalities and the public with timely information about what we are doing locally and the status of regulations.

Members suggested that Display Units be shipped around to different events (e.g. agricultural conferences). Members were asked to contact Sommer with location ideas.

Members asked if the Well Aware program was included in the Grants Brochure for Eastern Ontario and if we knew about the landowner survey on stewardship undertaken by a University of Guelph student. Sommer will follow up on these two items.

Members asked if the list of open houses could be expanded. Sommer explained that the funding being used to run the open houses is tied to promoting the Stewardship Fund which is only available to landowners around municipal systems. Therefore the funding cannot be spent at this point in municipalities without municipal systems.

Members recommended using local newspapers such as the free weekenders when articles and advertisements. Sommer assured members that paid advertisements are currently run in 15 newspapers, most of which are free weekend papers.

Members commented on how easy it is to establish a blog and indicated that there is a local company that specializes in podcasts.

Members recommended placing hard copies of draft documents in local libraries to make it easy for the public to review them and provide comments.

Members asked that academic institutions and research groups be included as source protection partners, specifically the Institute of the Environment (University of Ottawa) and H2O Chelsea. Chair Stavinga will follow up with Scott Findlay of the Institute of the Environment

Members asked if the two comment periods for draft ToR could be the same length despite the regulation making one 30 days and one 35 days. Sommer assured members that regulatory requirements are only minimums so we can make both comment periods 35 days to minimize confusion.

Members indicated that since many community and environmental groups regularly monitor the Environmental Bill of Rights registry it would be very effective to post draft documents such as ToR, Assessment Reports and Source Protection Plans on the EBR for public consultation. Sommer will check with MOE to see if SPCs can post documents on this registry.

Members indicated that working group members should be chosen through a selection process rather than opening them up to anyone who wishes to participate (the groups would be too large). The Public Engagement Strategy was amended to reflect this decision.

Brian mentioned that there is a loosely formed working group for the Ottawa River which includes representatives from the Province of Quebec, Raisin-South Nation Source Protection Region and the Mississippi-Rideau Source Protection Region. This group will meet on February 19, 2008 to discuss how to move forward with inter-provincial cooperation.

Members discussed whether or not working group members who are not on the MRSPC should receive remuneration. The SPA Liaison will look into this issue with staff as it pertains to source protection budgeting.

Members agreed that staff presentations (powerpoint slides) should be posted on the website.

Members discussed whether a “members-only” page on the web site would be beneficial. Sommer will look into this.

Motion 05-2/08:

That the Mississippi-Rideau Source Protection Committee approve the Public Engagement Strategy as amended.

Carried

4. Uranium Mining Staff Report

Paul Lehman and Brad Carew presented a staff report on uranium exploration and mining in response to a Member Inquiry made January 10, 2008 (see attached staff report and slides). The presentation included a general discussion on mineral exploration and uranium mine development as well as an account of the groundwater sampling program undertaken by Mississippi Valley Conservation on private residential wells.

Paul explained that the sampling program was conducted in October and November of 2007. The program involved collecting seventeen samples from fifteen private wells and one surface water body. Twelve of the samples had detectable concentrations of uranium with two of the groundwater samples exceeding the Provincial Water Quality Objective for uranium.

Howard Robinson, a delegate representing the Mississippi Valley Field Naturalists, gave a five minute presentation entitled “Additional Considerations for the SWP Committee” pertaining to the Uranium Mining Staff Report (slides are attached). Mr. Robinson asked the MRSPC to:

- work with other potential affect regions to prevent any common threat to source water from uranium prospecting, mining and processing
- move towards protecting clusters of private wells within the Clean Water Act regulations to protect citizens and visitors to Ontario.

Members asked Mr. Robinson how much of the area shown to have uranium deposits is subject to prospecting or an active mining rights claim? Mr. Robinson was unsure but said that each Region should investigate that question.

Members asked for clarification on the connection between groundwater and surface water. Paul explained that surface water can easily flow through fractured bedrock making underground aquifers in such areas highly vulnerable to contamination.

Members asked Brad to explain why mineral exploration is not on the list of “prescribed activities” contained in MOE guidance, whereas advanced mining operations are. Brad explained that advanced mining operations are included on the list because this land use includes industrial effluent and mine tailing facilities which pose a potential threat to drinking water. Brad also noted that the current study being undertaken to look at threats in highly vulnerable areas only looks at *existing* activities not *future* activities. Therefore any mining operations currently being planned would not be reviewed as part of this work.

Members asked what role the list of “prescribed activities” will play in the source protection planning process. Brad responded that the Provincial Guidance does not provide an explanation of how the list will be used in Source Protection Plans but MOE has stated that a draft Discussion Paper on Source Protection Plans will be released this year. This discussion paper will outline for the first time what Source Protection Plans could look like and what they will contain. MOE has indicated that this paper will contain lists of land uses along with potential policies SPCs could use to manage them should they be found to pose a risk to local drinking water sources. Due to the interest this discussion paper is likely to garner MOE has informed staff that it will have a lengthy consultation period.

Members asked if uranium activities should be on the “prescribed activities” list. Paul said the list only includes activities known to pose a contamination risk and it is unclear whether uranium prospecting poses a contamination risk to drinking water.

Members asked why fire protection was mentioned in the presentation. Brad responded that municipal systems need to provide adequate water quantity for fire protection whereas private wells do not. As a result of these smaller quantities, the potential wellhead protection area for a cluster of private wells is likely to be quite small. These clusters are likely to be at risk from potential sources of contamination that are close to the wells such as fuel storage tanks, septic systems or local landfills and not necessarily distant sources of contamination like municipal systems might be.

Members asked if companies are required under current legislation to properly seal prospecting wells. Brad responded that Ontario Regulation 903 requires that abandoned wells be properly sealed.

Members asked what the potential contamination could be from uranium exploration. Brad explained that exploration could potentially

bring uranium to surface or force it through fractures as a result of the drilling process.

Members asked about the presence of uranium in bedrock fractures. Brad responded that uranium is not part of the main body of the rock formation but instead is already present in fractures in the “host rock” in the form of pegmatite crystals.

Members asked what percentage of people live in the fractured areas. Brad responded that most of the Mississippi-Rideau Region is in the Canadian Shield and is therefore fractured. Conceptually all these people share the same aquifer regardless of the depth of their private well because water travels so easily down through the fractures.

Members requested that someone representing uranium exploration and mining be invited to address the MRSPC so members could hear the other side of the issue. It was suggested someone from Frontenac Ventures or a uranium geologist be invited to speak.

Members asked if uranium exploration posed an increased risk to drinking water. Brad responded that staff cannot make that determination.

Members asked if the wells found by Mississippi Valley Conservation’s groundwater sampling program to be in exceedence of provincial standards for uranium were located close to the drilling sites from the 1950s and 1970s. Staff was unsure of the locations of the wells with respect to the previous drilling but noted that the uranium found by the sampling program was *naturally* occurring and is not unique to our Region.

Members discussed the motions that were passed by the City of Ottawa’s Community and Protective Services Committee on February 7, 2008:

1. Petition the Province of Ontario and Premier Dalton McGuinty to initiate an immediate moratorium on uranium mineral prospecting, exploration and mining in Eastern Ontario and the Ottawa River watershed until such a time that all environmental and health issues related to Uranium mining are resolved and that there are settlement plans for all related native land claims;
2. That City of Ottawa petition the Province of Ontario to undertake an immediate comprehensive public review of the *Mining Act, 1990*.

It was noted that the City of Ottawa’s Chief Medical Officer of Health, Dr. David Salisbury, was supportive of these motions.

Given that the highest risk score a land use can get in a Highly Vulnerable Aquifer is “moderate” and mining exploration is not on the list of “prescribed activities” members wanted to know if there was anyway the *Clean Water Act* could address uranium exploration in the Mississippi-Rideau region. Brad explained that the *Clean Water Act* looks to address significant risks to municipal source water. Uranium

is practically insoluble thus minimizing its mobility and potential risk to drinking water. In addition uranium exploration is being done far from municipal drinking water systems. Staff indicated that there are two important documents coming soon from the MOE: Discussion Paper on Source Protection Plans and Draft Regulation on Assessment Report. The draft regulation will outline if or how potential threats can be studied in Highly Vulnerable Aquifers and the discussion paper will outline if or how threats in such areas can be addressed in source protection plans. There will be a public comment period on both of these documents and staff will assist the committee in reviewing these documents and drafting comments when the time comes.

Members asked if the MRSPC could work with the study group. The Chair responded that information could be shared perhaps via a stakeholder group.

Members asked if the core holes being drilled in the exploration stage affect the speed of contamination. Brad explained that the connection between surface water and ground water is already very porous because of the fractured bedrock so additional holes will not make the aquifer any more vulnerable. Members recommended that core holes be properly sealed to prevent further contamination.

Members discussed at length the importance to look at regional threats within the entire region, not just around municipal systems and to have the ability to sufficiently address these threats in Source Protection Plans.

Chair Stavinga reiterated that there are multiple avenues through which to raise concerns with the province. Commenting on draft discussion papers and regulations is one opportunity and Chair Stavinga raising the committee's concerns at the province's quarterly Chairs meeting is another.

Members considered a number of motions and requested that a preamble or cover letter be attached to the motions prior to them being forwarded to the Province. Staff will take care of this request.

Members asked whether the MRSPC should consider the City of Ottawa's motion calling for a moratorium on uranium mining. It was agreed that it was not appropriate at this time.

Motion 06-2/08:

1. That the Mississippi-Rideau Source Protection Committee receive this report for information;
2. That staff be directed to request the Ministry of the Environment (MOE) to further examine this issue and potential impacts to source water protection efforts in the Mississippi-Rideau Source Protection Region with other relevant provincial ministries (e.g., Ministry of Northern Development and Mines);
3. And, that the Ministry of the Environment be requested to report back to the Mississippi-Rideau Source Protection Committee through a joint presentation with other relevant provincial ministries.

Carried

Motion 07-2/08:

That the report and motions arising be circulated to all Source Protection Committee Chairs for information.

Carried

Motion 08-2/08:

That the report be circulated to the Citizens' Inquiry as well as those companies and individuals with active mining claims as identified on Figure 1 in the report; and the provision of updates as received by the Committee.

Carried

Motion 09-2/08:

That staff be directed, subject to funding support from Ministry of the Environment, to develop an information and awareness campaign in cooperation with local Health Units regarding naturally occurring uranium in drinking water for dissemination to local residents in conjunction with local municipalities.

Carried

Motion 10-2/08:

That the Ministry of the Environment provide guidance and funding to Source Protection Regions to thoroughly identify potential threats in Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs) within the Technical Assessment Report. Furthermore, the Ministry of the Environment provide authority and capacity to Source Protection Regions to address any identified potential threats in the HVAs and SGRAs in the Source Protection Plan.

Carried

5. Other Business

None.

6. Member Inquiries

None.

7. Next Meeting

Thursday, March 6, 2008 at 1:00 p.m. at the Rideau Valley Conservation Authority (3889 Rideau Valley Drive, Manotick).

8. Adjournment

The meeting was adjourned at 5:00 p.m.

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Janet Stavinga
Chair

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Karyn Cornfield
Recording Secretary